

REMARKS

In the Office Action dated September 22, 2004, claims 1-8 and 31-50 were pending. Claims 1-8 and 31-50 were rejected under 35 U.S.C. 102(b). In this response, no claim has been cancelled. Claims 1, 31, and 38 have been amended.

Claims 1-8 and 31-50 are rejected under 35 U.S.C. 102(b) as being anticipated by Wilson et al., U.S. Patent 5,208,914 ("Wilson"). In view of the foregoing amendments, it is respectfully submitted that claims 1-8 and 31-50 include limitations that are not disclosed by Wilson. Specifically, independent claim 1 recites as follows:

1. An apparatus, comprising:
 - a memory unit to store data;
 - a plurality of memory-sensing devices coupled to the memory unit to sense the data stored in the memory unit substantially concurrently;
 - a request queue coupled to the memory unit via the memory-sensing devices, the request queue storing one or more requests while the memory-sensing devices are sensing data in the memory unit;
 - a response queue coupled to the memory-sensing devices, the response queue storing data from the memory-sensing devices that is not required to be returned to a requester immediately; and
 - an arbiter coupled to said response queue to transmit one or more responses stored in the response queue to a requester in an order based on a priority of the respective request corresponding to the response,wherein the one or more requests include a first request from a first requester for requesting data having a first portion and a second portion and a second request from a second requester received after the first request for requesting data having a first portion and a second portion, and wherein the first portion of the second request is returned to the second requester before the second portion of the first request is returned to a first requester.

(Emphasis added)

Independent claim 1 includes limitations that an arbiter is used to determine priorities of certain portions of data requested by multiple requests, where certain portions (e.g., non-critical portions) of a first request may be returned later than certain portions (e.g., critical

portions) of a second request even though the first request is received prior to the second request. It is respectfully submitted that these limitations are absent from Wilson.

Rather, the arbitration network of Wilson utilizes “a first-come-first-served, multiple-requester-toggling system to insure that the oldest reference is processed first” (see, col. 7, lines 11 to 13 of Wilson). That is, the requests received from multiple requesters are arbitrated by a first-come-first-served manner. It appears that each request is processed before another request is processed. There is no disclosure or suggestion within Wilson that certain portions of a first request may be returned later than certain portions of a second request event though the first request is received prior to the second request. Therefore, for the reasons discussed above, it is respectfully submitted that independent claim 1 is not anticipated by Wilson.

Similarly, independent claims 31 and 38 include limitations similar to those recited in claim 1. Thus, for the reasons similar to those discussed above, it is respectfully submitted that independent claims 31-38 are not anticipated by Wilson.

Given that the rest of the claims depend from one of the above independent claims, it is respectfully submitted that the rest of the claims are not anticipated by Wilson. Withdrawal of the rejections is respectfully requested.

In addition, with respect to claims 41-50, these claims are related to certain features of the present invention as claimed and depend from independent claim 1. Thus, they should not be subject to restriction requirements. Further, the Examiner stated:

“As to claims 41-50, the additional limitations of critical and non-critical data, storing in the queues, priority marking, etc., are all embodied within the queues and associated arbiters as described hereinabove.”

(9/22/2004 Office Action, pages 3-4).

Applicant respectfully disagrees. There is no disclosure or suggestion within Wilson that a later request for critical data may be returned prior to an earlier request for non-critical data as recited in, for example, claim 41 and its dependent claims. As mentioned above, the Wilson arbitration system is performed based on a first-come-first-served manner, instead of the priority of the data. Further, there is no disclosure or suggestion within Wilson that certain portions of a request may have different priorities and those portions may be returned in different orders with respect to other requests having different priority portions, for example, as recited in claim 47 and its dependent claims.

In order to anticipate a claim, each and every limitations of the claim must be disclosed by the cited references. It is respectfully submitted that the above limitations are absent from Wilson. Therefore, in addition to those applied to their respective independent claims, claims 41-50 are independently not anticipated by Wilson.

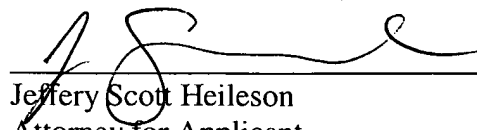
In view of the foregoing, Applicant respectfully submits the present application is now in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call the undersigned attorney at (408) 720-8300.

Please charge Deposit Account No. 02-2666 for any shortage of fees in connection with this response.

Respectfully submitted,

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